



-1229.2

1634

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

09/832,621

Filing Date

April 11, 2001

First Named Inventor

RAUCY, Judy

Art Unit

1634

Examiner Name

SHEINBERG, Monika

Attorney Docket Number

PUR-00114.P.1.1

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

After Allowance Communication
to a Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
Identify below):**Remarks**

1. Form 1449
2. 2 Volumes of references
3. Return Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

or

Individual

Signature

David R. Preston
Reg. No. 38,710

Date

Sep 30, 2003

CERTIFICATE OF TRANSMISSION/MAILINGI hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Oct 1, 2003

Typed or printed

Raymond Wagerknecht

Signature

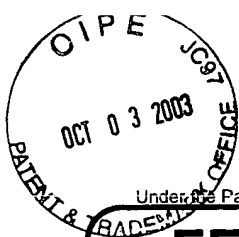
Raymond Wagerknecht

Date

Oct 1, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/832,621 |
| Filing Date | April 11, 2001 |
| First Named Inventor | RAUCY, Judy |
| Examiner Name | SHEINBERG, Monika |
| Art Unit | 1634 |
| Attorney Docket No. | PUR-00114.P.1.1 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 501321
Deposit Account Name: David R. Preston

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|------------|
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$) 0.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 410 | 2252 205 | Extension for reply within second month | |
| 1253 930 | 2253 465 | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | Design issue fee | |
| 1503 630 | 2503 315 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 750 | 2810 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 750 | 2801 375 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

| | | | | | |
|-------------------|------------------|-----------------------------------|--------------|-----------|--------------|
| Name (Print/Type) | David R. Preston | Registration No. (Attorney/Agent) | 38,710 | Telephone | 858-724-0375 |
| Signature | | Date | Sep 20, 2003 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Patent

Docket Number: PUR-00114.P.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Raucy

Application No.: 09/832,621

Filed: April 11, 2001

For: COMPOSITIONS AND
METHODS FOR INDUCTION OF
PROTEINS INVOLVED IN
XENOBIOTIC METABOLISM

Examiner: Monika Sheinberg

Art Unit: 1634

Commissioner for Patents
Alexandria VA 22313

Sir:

INFORMATION DISCLOSURE STATEMENT #3

Applicant respectfully submits this Information Disclosure Statement (IDS) after the mailing of a First Office Action on the merits under 37 C.F.R. §1.97(a)(3).

Applicant also submits a Form 1449, volumes of references cited on Applicant's Form 1449, and a check for \$180.00 to cover the IDS fee.

10/03/2003 RECEIVED 000000 0 000000

01 000000


10/03/03

Information Disclosure Statement
PUR-00114.P.1.1
Raucy

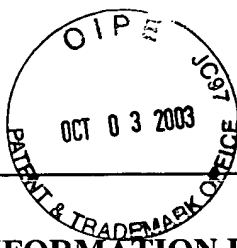
Please apply any charges not covered, or any credits, to Deposit Account number 501321 in the name of David R. Preston & Associates, having Customer Number 24232.

Respectfully submitted,

Date: Sept 30, 2003


David R. Preston
Reg. No. 38,710

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facsimile: 858.724.0384



| | | |
|---|-----------------------------------|-----------------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | Docket Number: PUR-00114.P.1.1 | Application Number: 09/832,621 |
| | Applicant: Raucy | |
| | Filing Date: April 11, 2001 | Group Art Unit: 1634 |

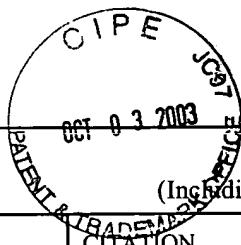
| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----|--------------------|----------|-------------------|-------|---------------|-------------------------------|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE IF APPROPRIATE |
| | P1 | 5,071,773 | 12/10/91 | Evans et al. | | | |
| | P2 | 5,298,429 | 3/29/94 | Evans et al. | | | |
| | P3 | 5,639,616 | 6/17/97 | Liao et al. | | | |
| | P4 | 2002/022599 | 2/21/02 | Synold et al. | | | |
| | P5 | 2002/0150915 | 10/17/02 | Berkenstam et al. | | | |
| | P6 | 2002/0168623 | 11/14/02 | Raucy | | | |
| | P7 | 2003/0064430 | 4/03/03 | Evans et al. | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|



| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-----|--------------------|----------|---------|-------|---------------|-------------|----|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | Translation | |
| | | | | | | | YES | NO |
| | F1 | EP 0 644 267 A2 | 7/20/94 | EPO | | | | |
| | F2 | WO 88/03168 | 5/5/88 | PCT | | | | |
| | F3 | WO 94/27557 | 12/8/94 | PCT | | | | |
| | F4 | WO 99/61622 | 12/2/99 | PCT | | | | |
| | F5 | WO 01/20026 A2 | 3/22/01 | PCT | | | | |
| | F6 | WO 01/71361 A1 | 9/27/01 | PCT | | | | |
| | F7 | WO 01/97856 A2 | 12/27/01 | PCT | | | | |
| | F8 | WO 02/24918 A1 | 3/28/02 | PCT | | | | |
| | F9 | WO 02/36784 A1 | 5/10/02 | PCT | | | | |
| | F10 | WO 02/088305 A2 | 11/7/02 | PCT | | | | |
| | F11 | WO 02/094865 A1 | 11/28/02 | PCT | | | | |
| | F12 | WO 02/095652 A1 | 11/28/02 | PCT | | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|



| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
|---|-----|--|
| EXAMINER INITIALS | | CITATION |
| | D1 | Barwick, Mol. Pharmacol., 50:10-16 (1996). |
| | D2 | Dogra et al., Clinical Pharmacology and Physiology, 25: 1-9 (1998). |
| | D3 | Chen et al., Mol. Pharmacol., 64:316-324 (2003). |
| | D4 | Cui et al., Journal of Pharmacology and Toxicological Methods, 47: 143-151 (2002). |
| | D5 | Ferguson et al., Mol. Pharmacol. 62(3): 737-746 (2002). |
| | D6 | Gonzalez et al., DNA, 7(2): 79-86 (1988). |
| | D7 | Hakkola et al., Critical Reviews in Toxicology, 28(1): 35-72 (1998) |
| | D8 | Hashimoto et al., Eur. J. Biochem., 218: 585-595 (1993). |
| | D9 | Honkakoski et al., Ann. Med. 35(3): 172-182 (2003). |
| | D10 | Kliwer et al., Cell, 92:73-82 (1998). |
| | D11 | Kolars et al., Pharmacogenetics 4: 247-259 (1994). |
| | D12 | Kovaleva et al., Biochemical and Biophysical. Research Communications 221: 129-132 (1996). |
| | D13 | Moore et al., Molecular Endocrinology 16(5):977-986 (2002). |
| | D14 | Ogg et al., Eur. J. of Drug Metabolism and Pharmacokinetics 22(4): 311-313 (1997). |
| | D15 | Sakai and Takigami, Ind. Health 41: 205-214 (2003). |
| | D16 | Smith et al., Xenobiotica, 28(12): 1129-1165 (1998). |
| | D17 | Sonoda et al., Proc. Natl. Acad. Sci USA 99(21): 13801-13806 (2002). |
| | D18 | Sulston and Waterston, Genome Res., 8(11): 1097-1108 (1998). |
| | D19 | Xie et al., Proc Natl. Acad. Sci. USA 100(7): 4150-4155 (2003). |
| | D20 | Yanagida et al., Molecular and Cellular Biology, 10(4): 1470-1475 (1990). |
| | D21 | Yueh et al., J of Biological Chemistry 278(17): 15001-15006 (2003). |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|